

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

GEORGE IVERSON, Individually,)

Plaintiff,)

v.)

CASE NO.: 04-CV-12079-NG-JLA

BRAINTREE PROPERTY ASSOCIATES,)
a Massachusetts Limited Partnership,)

Defendant.)

2ND RE-NOTICE OF PLAINTIFFS' REQUEST OF ENTRY UPON LAND
FOR INSPECTION AND OTHER PURPOSES

COME NOW Plaintiffs, by and through undersigned counsel, and pursuant to Rule 34 of the Federal Rules of Civil Procedure, request entry upon the Defendant's property known as *South Shore Plaza*, and located at *250 Granata Street, Braintree, MA*, for the purpose of inspecting and measuring, surveying, photographing, testing or sampling the property within the scope of Rule 26(b).

The area of inspection shall be the following:

1. Any and all Parking Area(s) provided for use by the public, customers and invitees;
2. Any and all Restrooms, which are provided for use by the public, customers, and invitees;
3. Any and all entrances and Path(s) of Travel areas provided for public use;
4. All access(es) to goods and services throughout the facility; and
5. Any and all areas of the public accommodation, excepting only work areas used exclusively by employees, which include, but are not limited to, all tenant spaces in a shopping center, and all common areas of the public accommodation; and

EXHIBIT

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6. All other areas cited in paragraph 17 of the Amended Complaint as being in violation of the ADA.
7. The tenant spaces to be inspected are listed in the attached "Exhibit A".

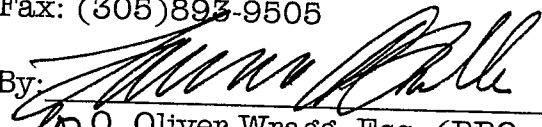
The time for said entry shall be, WEDNESDAY, JUNE 1, 2005 @ 9:30 A.M. and shall continue until Plaintiffs' inspection shall have been completed. In the event the inspection is not completed in one inspection, same shall be continued on a mutually agreeable time and date.

I HEREBY CERTIFY that a true and correct copy of the foregoing was faxed and e-mailed on May 18, 2005 to:

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By: 
for O. Oliver Wragg, Esq. (BBO
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List of Tenant Stores to be Inspected
Page 1

Department Stores

Filene's
Lord & Taylor
Macy's
Sears

Health and Beauty

CVS

Home Furnishings

Filene's Home Store
Williams-Sonoma

Men's & Women's Fashions

Abercrombie & Fitch
American Eagle Outfitters
Banana Republic
Champs Sports
Eddie Bauer
Filene's Basement
Gap
J. Crew

Men's Fashions

Simon & Sons
Aeropostale

Music

Circuit City
Radio Shack

Restaurants – all restaurants including order-at-the-counter restaurants and
order-at-the-table-by-a-staff restaurants

Beantown Burrito
Bourbon Street Cajun Café

List of Tenant Stores to be Inspected
Page 2

Johnny Rockets
La Cucina di Capri
Master Wok
McDonald's
Pizzeria Regina
Quizno's Classic Subs
Sarku Japan
Souper Salad
99 Restaurant and Pub
Brigham's Restaurant
Joe's American Bar & Grill
Legal Sea Food
Pizzeria Uno Chicago Bar and Grill
Rock Bottom Brewery

Services

ATM Money Machines

Shoes

Bostonian Shoe
Foot Locker
Footaction USA
Johnston & Murphy
Payless ShoeSource
Rockport Shoes
The Athlete's Foot

Specialty Food – all specialty foods such as ice cream stores, candy stores, doughnut stores, coffee stores, etc.

Au Bon Pain
Auntie Anne's Pretzels
Brigham's Ice Cream
Candy Express
Cinnabon
Dunkin' Donuts
Godiva Chocolatier

List of Tenant Stores to be Inspected
Page 3

Kohr Brothers Frozen Custard
Lindt Chocolate
Planet Smoothie
The Coffee Beanery

Specialty Shops

Brookstone
Sharper Image

Sporting Goods / Activewear - all sporting goods and men's activewear stores